

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

STEVEN WAYNE BENDER,)	
)	Civil Action No. 05 - 998
Petitioner,)	
)	
v.)	Chief Judge Donetta W. Ambrose /
)	Magistrate Judge Lisa Pupo
JAMES WYNDER, Superintendent; THE)	Lenihan
DISTRICT ATTORNEY FOR THE)	
COUNTY OF FAYETTE; and the)	Doc. Nos. 62,63
ATTORNEY GENERAL FOR THE)	
COMMONWEALTH OF PENNSYLVANIA,)	
)	
Respondents.)	

ORDER

On June 5, 2006, the undersigned filed a Report and Recommendation to the District Judge recommending that the above Petition for Habeas Corpus be denied. On June 22, 2006 Petitioner filed a motion requesting that the Court appoint an expert in the field of sexual and physical abuse of children, and that the Court grant him bail.

Both of these motions have been previously filed by Petitioner and consistently denied. For the reasons set forth in the Orders dated January 25, 2006 and June 6, 2006, as well as for the reasons set forth in the Report and Recommendation dated June 5, 2006,

IT IS ORDERED, this 27th day of June, 2006, that Petitioner's Motion for a Court Appointed Expert and Motion for Bail, Doc. Nos. 62 and 63, are **HEREBY DENIED**.

IT IS FURTHER ORDERED that the parties are allowed ten (10) days from this date to appeal this order to a district judge pursuant to Rule 72.1.3(B) of the Local Rules for Magistrates. Failure to appeal within ten (10) days may constitute waiver of the right to appeal.

/s/Lisa Pupo Lenihan
Lisa Pupo Lenihan
United States Magistrate Judge

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